

3. (Amended) The combination of claim 2, wherein said top seal is [a heat, pressure and dwell seal] formed by applying heat and pressure for a prescribed dwell period.

17. (Amended) In combination:

a) a flexible package, including

front and rear walls, said front and rear walls being laminated plastic walls including at least one inner sealable layer and at least one outer wall layer,

a bottom seal formed between lower sides of said front and rear walls;

a top seal formed between upper sides of said front and rear walls, said top seal including a seal between said inner sealable layers;

a zipper located within said package proximate said top seal, said zipper having a first zipper part having a first engagement member extending lengthwise along said zipper part and a widened base having at least two points of sealant behind said base;

said zipper also having a second zipper part having a second engagement member extending lengthwise along said zipper part and a widened base having at least two points of sealant behind said base;

said first engagement member being engaged with said second engagement member;

said at least two points of sealant on said first zipper part being sealed to said inner layer of one of said front and rear walls [film at a first side of said vertical tube] and said at least two points of sealant on said second zipper part being sealed to said inner layer of the other of said front and rear walls [film at a second side of said vertical tube];

said seal between said inner sealable layers being openable by de-lamination and said engagement between said engagement members of said zipper being disengaged upon the application of a predetermined pinch-grip pulling force; and

b) food product stored within said package between said closed zipper and said bottom seal.

REMARKS

Reconsideration and allowance in view of the foregoing amendments, the following remarks, and the Declaration under 37 C.F.R. § 1.131 filed herewith are respectfully requested.

Claims 1-26 remain pending in this application.

Claim 3 is objected to under 37 C.F.R. § 1.75(c). As explained in the specification at page 11, the term "heat/pressure/dwell formed" is defined as "encompassing seals that are made between two adjacent walls by applying heat and/or pressure for a given dwell period." Claims 2